

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|------------------------|---|---------------------|
| IN THE MATTER OF: |) | CASE NO. BK08-81221 |
| |) | |
| Ronald Lee Young, Jr., |) | CHAPTER 13 |
| Gwendolyn Ann Young, |) | |
| |) | |
| Debtors. |) | |

**MOTION TO RECONSIDER ORDER GRANTING RELIEF FROM STAY
AND FOR ORDER REQUIRING TRUSTEE TO RESUME PAYMENTS**

COME NOW the Debtors and state as follows:

1. On March 1, 2010, the Court entered an order granting the Motion for Relief of U.S. Bank, N.A. The parties had entered into a Stipulation dated December 1, 2008, which required that the Debtors resume making regular monthly payments plus make six (6) monthly cure payments. The Debtors made all of the cure payments but recently defaulted on regular post-petition monthly payments.

2. The Debtors are behind on the following payments:

| | |
|--|--------------------------|
| 12/09 - 2/10 regular pmts. and late charges: | \$3,223.62 |
| Accrued late charges: | 82.38 |
| 3/10 regular pmt.: | 1,074.54 |
| Attorney fees: | <u>150.00</u> |
| Net amount: | \$4,530.54 |
| Less amount held in suspense: | <u>109.36</u> |
| Total due through 3/10: | <u><u>\$4,421.18</u></u> |

3. The Debtors defaulted on Stipulation payments as a result of employment pay problems. Specifically, Mr. Young is employed as an account manager/recruiter for Cariant Health Partners. Effective January 2010, Mr. Young's employer changed their method of paying him which resulted in a delay of eight (8) weeks for him to receive his monthly performance bonuses. On or before March 31, 2010, Mr. Young will receive an accrued lump-sum bonus of approximately \$4,000.00.

4. The Debtors have the ability to become current on payments due pursuant to the Stipulation. The Debtors will become current on payments to U.S. Bank, N.A., by March 31, 2010, by making a payment of \$4,421.18. U.S. Bank, N.A., is holding a check

from the Debtors in the amount of \$1,076.00 and the Debtors will pay the balance of \$3,345.18. The Debtors will be able to make the April 2010 payment when due. The Debtors are both employed. The Debtors are current on payments to the Trustee.

5. The Chapter 13 Trustee has given notice of her intent to cease making payments to U.S. Bank, N.A. The Trustee should be ordered to continue making payments to U.S. Bank, N.A., pursuant to the First Amended Chapter 13 Plan and the allowed secured claim of the creditor.

WHEREFORE, the Debtors request that the Court:

A. reconsider the order granting relief from the automatic stay and enter an order reinstating the stay; and

B. order the Trustee to continue making payments to U.S. Bank, N.A., pursuant to the First Amended Chapter 13 Plan and the allowed secured claim of the creditor.

Ronald Lee Young, Jr.,
Gwendolyn Ann Young,
Debtors

DATED: March 9, 2010

By: /s/ Ronald A. Hunter
RONALD A. HUNTER #16864
11605 Arbor St., #104
Omaha, NE 68144
(402) 397-6965
Attorney for Debtors

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FOR THE DISTRICT OF NEBRASKA

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| IN THE MATTER OF: |) | CASE NO. BK08-81221 |
| |) | |
| Ronald Lee Young, Jr., |) | CHAPTER 13 |
| xxx-xx-2896 |) | |
| |) | |
| Gwendolyn Ann Young |) | |
| xxx-xx-8444 |) | |
| |) | |
| Debtors. |) | |

**NOTICE OF MOTION TO RECONSIDER ORDER GRANTING RELIEF FROM STAY
AND RESISTANCE DEADLINE**

TO: All parties in interest:

YOU ARE HEREBY NOTIFIED that the Debtors have filed a Motion to Reconsider Order Granting Relief from Stay herein, a copy of which is attached hereto. You are further notified that any resistance or request for hearing with respect to the above-described pleading must be filed with the Court and served on the Debtors' attorney by the 30th day of March, 2010.

Ronald Lee Young, Jr.,
Gwendolyn Ann Young,
Debtors

DATED: March 9, 2010

By: /s/ Ronald A. Hunter
RONALD A. HUNTER #16864
11605 Arbor St., #104
Omaha, NE 68144
(402) 397-6965
Attorney for Debtors

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 30, 2010, copies of the above Notice and the Motion to Reconsider Order Granting Relief from Stay were served on the U.S. Trustee, Chapter 13 Trustee and Matthew E. Eck, attorney for U.S. Bank, N.A., through electronic filing using the CM/ECF system.

/s/ Ronald A. Hunter
RONALD A. HUNTER